

112TH CONGRESS
1ST SESSION

S. 1493

To provide compensation to relatives of Foreign Service members killed in the line of duty and the relatives of United States citizens who were killed as a result of the bombing of the United States Embassy in Kenya on August 7, 1998, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2011

Ms. MIKULSKI (for herself and Mr. BLUNT) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To provide compensation to relatives of Foreign Service members killed in the line of duty and the relatives of United States citizens who were killed as a result of the bombing of the United States Embassy in Kenya on August 7, 1998, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Foreign Service Line
5 of Duty Death Gratuity Act of 2011”.

1 **SEC. 2. DEATH GRATUITY.**

2 Subsection (a) of section 413 of the Foreign Service
3 Act of 1980 (22 U.S.C. 3973) is amended, in the first
4 sentence, by inserting “or \$100,000, whichever is greater”
5 after “one year’s salary at the time of death”.

6 **SEC. 3. INCREASED GROUP LIFE INSURANCE BENEFITS AP-**
7 **PLICABLE TO THOSE KILLED IN THE LINE OF**
8 **DUTY.**

9 (a) IN GENERAL.—Chapter 4 of the Foreign Service
10 Act of 1980 (22 U.S.C. 3961 et seq.) is amended by add-
11 ing at the end the following new section:

12 **“SEC. 415. INCREASED GROUP LIFE INSURANCE BENEFITS**
13 **APPLICABLE TO THOSE KILLED IN THE LINE**
14 **OF DUTY.**

15 “Notwithstanding the amounts specified in chapter
16 87 of title 5, United States Code, a Foreign Service em-
17 ployee or Government executive branch employee who is
18 subject to the authority of the chief of mission pursuant
19 to section 207 and is killed in a location designated as
20 a danger pay post, as determined by the Secretary, shall
21 be deemed to be insured under such chapter for \$400,000
22 if such amount is greater than the amount for which such
23 employee is otherwise insured under such chapter.”.

24 (b) CLERICAL AMENDMENT.—The table of contents
25 in section 2 of the Foreign Service Act of 1980 is amended

1 by inserting after the item relating to section 414 the fol-
2 lowing new item:

“Sec. 415. Increased group life insurance benefits applicable to those killed in
the line of duty.”.

3 **SEC. 4. REQUIREMENT TO PROVIDE COMPENSATION.**

4 (a) COMPENSATION REQUIREMENT.—

5 (1) IN GENERAL.—

6 (A) REQUIREMENT.—Notwithstanding the
7 amount specified in subsection (a) of section
8 413 of the Foreign Service Act of 1980, as
9 amended by section 2 of this Act, the Secretary
10 of State shall provide a death gratuity payment
11 under such section in the amount specified in
12 paragraph (2) of this subsection to the sur-
13 viving dependents of a Foreign Service em-
14 ployee or a Government executive branch em-
15 ployee subject to the authority of the chief of
16 mission pursuant to section 207 of the Foreign
17 Service Act of 1980 (22 U.S.C. 3927), or to an
18 individual otherwise serving at a United States
19 diplomatic or consular mission abroad without a
20 regular salary, who was killed in the August 7,
21 1998, bombing of the United States Embassy
22 in Nairobi, Kenya.

23 (B) DEADLINES.—Subject to available ap-
24 propriations, the Secretary of State—

1 (i) shall make a partial payment of
2 the death gratuity payment to eligible indi-
3 viduals not later than 180 days after the
4 date of the enactment of this Act; and

5 (ii) is authorized to make additional
6 partial payments, as appropriations become
7 available, until the compensation level re-
8 quired under paragraph (2) has been satis-
9 fied.

10 (C) MINIMUM PAYMENT.—The amount of
11 the payment under subparagraph (B)(i) shall be
12 equal to or greater than the \$4,000,000 pre-
13 viously appropriated for such purpose by title I
14 of the Department of State, Foreign Oper-
15 ations, and Related Programs Appropriations
16 Act, 2008 (division J of Public Law 110–161;
17 121 Stat. 2277) under the heading “DIPLO-
18 MATIC AND CONSULAR PROGRAMS”.

19 (2) COMPENSATION LEVEL.—

20 (A) SALARY MULTIPLE.—A payment pur-
21 suant to paragraph (1) of a death gratuity pay-
22 ment under section 413 of the Foreign Service
23 Act of 1980 shall be in an amount equal to ten
24 times the salary specified in subparagraph (B).

1 (B) CALCULATION OF SALARY.—For pur-
2 poses of this paragraph, the salary of an indi-
3 vidual used to determine payments under such
4 section shall be \$94,000.

5 (b) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated to the Secretary of State
7 such sums as may be necessary for purposes of making
8 payments under this section, including amounts appro-
9 priated by title I of the Department of State, Foreign Op-
10 erations, and Related Programs Appropriations Act, 2008
11 (division J of Public Law 110–161; 121 Stat. 2277) under
12 the heading “DIPLOMATIC AND CONSULAR PROGRAMS”.

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